

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, April 2, 2013, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Alderman Mike McIntire

Vice-Mayor Tom C. Parham
Alderman Tom Segelhorst
Alderman Jantry Shupe

City Administration

John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
Lisa Winkle, City Comptroller

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Alderman Jantry Shupe.
- II.B. **INVOCATION:** Ed Clevinger, Pastor – Grace Covenant Church.
- III. **ROLL CALL:** By City Comptroller Lisa Winkle. Absent: Alderman John Clark.
- IV. **RECOGNITIONS AND PRESENTATIONS.** None.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Shupe/McIntire, to approve minutes for the following meetings:

- A. April 18, 2013 Regular Work Session
- B. April 19, 2013 Regular Business Meeting

Approved: All present voting “aye.”

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.** None.

A. **PUBLIC COMMENT.** Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. **BUSINESS MATTERS REQUIRING FIRST READING.**

1. **Consideration of an Ordinance to Amend the General Project Fund, MeadowView Project Fund and the General Project – Special Revenue Project Fund Budgets by Transferring Funds from Various Projects (AF: 84-2013).**

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Motion/Second: Segelhorst/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND, MEADOWVIEW PROJECT FUND, AND THE GENERAL PROJECT-SPECIAL REVENUE FUND BUDGETS BY TRANSFERRING FUNDS FROM VARIOUS PROJECTS ; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION. None.

D. OTHER BUSINESS.

1. Consideration of a Resolution Awarding the Bid for the Purchase of One (1) Backhoe to ASC Construction Equipment USA, Inc. (AF: 80-2013). City Manager Campbell noted this was the lowest compliant bid out of four bids. Public Works Director Ryan McReynolds stated since the trade-in value was so low, the old model would be sold on the internet through the govdeals website.

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2013-149, A RESOLUTION AWARDING THE BID FOR THE PURCHASE OF ONE BACKHOE TO ASC CONSTRUCTION EQUIPMENT USA, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

2. Consideration of a Resolution Adopting an Updated Safety and Health Program, as Required by the Tennessee Occupational Safety and Health Act Through the Tennessee Department of Labor and Workforce Development (AF: 58-2013).

Motion/Second: Segelhorst/McIntire, to pass:

Resolution No. 2013-150, A RESOLUTION APPROVING AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN

Passed: All present voting "aye."

3. Consideration of a Resolution Awarding the Bid for the Purchase of Sodium Hypochlorite 12.5% to American Development Corporation (AF: 82-2013).

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2013-151, A RESOLUTION AWARDING THE BID FOR PURCHASE OF SODIUM HYPOCHLORITE 12.5 PERCENT TO AMERICAN DEVELOPMENT CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

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4. Consideration of a Resolution Authorizing the Mayor to Sign All Documents Necessary and Proper to Enter into an Agreement with PepsiCo for Pouring Rights at the Kingsport Aquatic Center (AF: 89-2013). Assistant to the City Manager Chris McCartt presented details on this item, discussing the available products and services to be provided by Pepsi. He pointed out the added benefit of many healthy options that were available in their product line.

Motion/Second: Joh/Shupe, to pass:

Resolution No. 2013-152, A RESOLUTION APPROVING AN AGREEMENT WITH PEPSI BEVERAGES COMPANY, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

5. Consideration of a Resolution Authorizing the Issuance of a Purchase Order to Toter, LLC for the Purchase of Recycling Carts for the New City of Kingsport Automated Curbside Recycling Program (AF: 83-2013). City Manager Campbell noted this purchase would provide 2,600 carts with a target start date for the program of June first. Public Works Director Ryan McReynolds provided further details, pointing out this would lower the cost of collection while also allowing a broader range of materials to be accepted for recycling. Vice-Mayor Parham noted increased safety for employees was also an added benefit.

Motion/Second: McIntire/Joh, to pass:

Resolution No. 2013-153, A RESOLUTION APPROVING THE PURCHASE OF RECYCLING CARTS FROM TOTER, LLC FOR THE CITY'S AUTOMATED CURBSIDE RECYCLING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

6. Consideration of a Resolution Approving the Transfer to General Gas the Authority Granted to TENGASCO Pipeline Corporation to Operate an Intrastate Gas Pipeline (AF: 91-2013). City Attorney Billingsley stated this was a transfer of a current gas pipeline that serves one customer. He noted the petition has already been filed with the Tennessee Regulatory Authority and they are awaiting the City's approval.

Motion/Second: McIntire/Parham, to pass:

Resolution No. 2013-154, A RESOLUTION ACKNOWLEDGING AND RATIFYING THE TRANSFER FROM TENGASCO PIPELINE CORPORATION TO GENERAL GAS PIPELINE LLC THE AUTHORITY GRANTED TO TENGASCO PIPELINE CORPORATION IN RESOLUTION NO. 2000-092, AS AMENDED BY THE JOINT STIPULATION APPROVED IN TENNESSEE REGULATORY AUTHORITY DOCKET NO. 00-00537

Passed: All present voting "aye."

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7. Consideration of a Resolution Awarding the Bid for the Purchase of Chlorine to JCI Jones Chemical, Inc., Hydrofluorisilic Acid to Key Chemical, Inc., Coagulant to Gulbrandsen, Inc. and Zinc Orthophosphate to Carus Corporation (AF: 79-2013). City Manager Campbell stated this was an annual agreement and there are no price increases from last year.

Motion/Second: Parham/Segelhorst, to pass:

Resolution No. 2013-155, A RESOLUTION RENEWING THE AWARD OF BID FOR PURCHASE OF CHLORINE TO JCI JONES CHEMICAL, INC., FOR HYDROFLOURISILIC ACID TO KEY CHEMICAL, INC., COAGULANT TO GULBRANDSEN MANUFACTURING, INC. AND ZINC ORTHOPHOSPHATE TO CARUS CORPORATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE PURCHASE ORDERS FOR THE SAME

Passed: All present voting "aye."

8. Consideration of a Resolution Authorizing the Agreement of the Human Resource and Payroll Software for Kingsport City Schools and Authorize the Mayor to Execute All Applicable Documents (AF: 90-2013). Alderman Joh noted this allowed each software program to communicate better with each other than what is currently in place. Alderman Segelhorst pointed out it also resulted in greater efficiency for the school system.

Motion/Second: Joh/Segelhorst, to pass:

Resolution No. 2013-156, A RESOLUTION AWARDING THE BID FOR HUMAN RESOURCE AND PAYROLL SOFTWARE TO SKYWARD, INC. FOR KINGSFORT CITY SCHOOLS; APPROVING AN AGREEMENT FOR SAME AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

E. APPOINTMENTS/REAPPOINTMENTS. None.

VII. CONSENT AGENDA. *(These items are considered under one motion.)*

Motion/Second: Joh/McIntire, to adopt:

1. Consideration of an Ordinance to Amend the Water and Sewer Project Fund Budgets by Reallocating from Other Water and Sewer Projects (AF: 65-2013).

Adopt:

Ordinance No. 6300, AN ORDINANCE TO AMEND VARIOUS WATER AND SEWER PROJECTS FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

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2. Consideration of an Ordinance to Amend the FY13 General Purpose School Fund and General Project Fund Budgets (AF: 72-2013).

Adopt:

Ordinance No. 6301, AN ORDINANCE TO AMEND THE FY 2012-13 GENERAL PURPOSE SCHOOL FUND AND GENERAL PROJECT FUND BUDGETS; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

3. Consideration of an Ordinance to Amend the FY13 School Nutrition Fund Budget (AF: 73-2013).

Adopt:

Ordinance No. 6302, AN ORDINANCE TO AMEND THE FY 2012-13 SCHOOL NUTRITION SERVICES FUND BUDGET; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

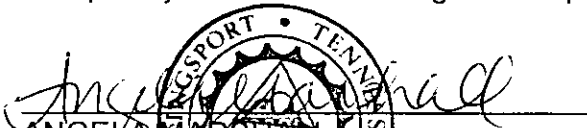
- A. CITY MANAGER.** Mr. Campbell reminded everyone the Farmers Market would be opening tomorrow morning, and on Saturday coffee and doughnuts would be provided there.
- B. MAYOR AND BOARD MEMBERS.** Alderman Joh gave details on the recent successful carousel gala. She stated all of the large animals and rounding boards have been sponsored, but noted some smaller animals still available and donations are appreciated. Alderman Segelhorst thanked Barry Hess, noting Domtar sponsored the cougar. He then congratulated ETSU for their announcement that football would be returning to the school with the help of Phillip Fulmer. Vice-Mayor Parham pointed out the City gets a lot done but has fun doing it, noting another reason why this is a great place to live. At this time, Public Works Director Ryan McReynolds stated spring clean-up started Monday and lasted for the next two weeks. He asked citizens to pile their large items separately from the trash cans by the road.
- C. VISITORS.** Ms. Mary McNabb thanked the Board, noting there is now wi-fi service at the Renaissance Center. She also commented favorably on the carousel gala and the relocation of the Lamplight Theater to downtown. Ms. Barbara Brown commented on the lack of parking at the new Food City and asked the board to look for a solution by trading properties with them. She also stated she did not see the need for a new director of the KNETICS organization, stating all of the groups should join together.

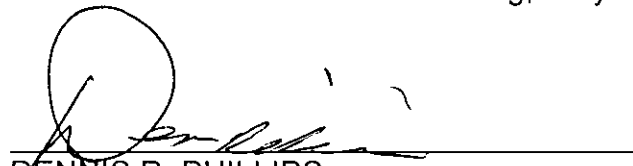
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Mayor Phillips responded that the BMA has an obligation to the citizens of Kingsport to obtain the highest dollar possible for surplus property that is no longer needed by the city and it should not be just given away. He further stated that all transactions such as these were treated the same and fairly, pointing out the city could not give property to one business and not to another one in a similar situation. Regarding KNETICS, the mayor stated there was never an intention to subsidize this organization; however, the board was in agreement that something should be done to recruit and maintain young people in the community.

Considerable discussion ensued regarding the city property adjacent to Food City on Roller Street. Alderman Joh pointed out it has been declared surplus for over a year. City Attorney Billingsley gave details on the process of selling property once it's declared surplus, noting the board has some discretion. Mr. Campbell stated he thought the Board wanted the property auctioned soon and that was the direction he planned on taking. Alderman Joh agreed a public auction would be the best option since there were so many who are interested in it. Vice-Mayor Parham expressed concern the city was rushing into a sale and should consider the needs of Food City to develop the 16,700 square feet of space remaining and possible commitments made to ETSU. Mayor Phillips stated the instruction of the board to the city manager was for something to be done with the property by April 30. He added if there was a good reason not to dispose of it, then it should be presented at the next business meeting for consideration by the board.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:07 p.m.


ANGELA MARSHALL
Deputy City Recorder


DENNIS R. PHILLIPS
Mayor